

**Choptank Road, New Castle County
Field View
December 12, 2001
9:30 a.m.**

Meeting Minutes

<u>Name</u>	<u>Representing</u>
Charles Altevogt	DelDOT
Mike Hahn	DelDOT
Kevin Cunningham	DelDOT
Patrick Carpenter	DelDOT
Gwen Davis	Delaware SHPO
Robin Bodo	Delaware SHPO
Ann McLeave	Delaware SHPO
Nick Blendy	MTA
Barbara Silber	MTA
Amy Seavey	MTA

Purpose of the Meeting:

The purpose of the meeting was to update the agencies regarding the status of the cultural resource studies in progress for the proposed Choptank Road Transportation Improvements Project.

Discussion:

1. Charles Altevogt began by discussing the purpose and need of the proposed project including the need to widen the existing roadway, making the road safer since it is a bike route, improved drainage, and fixing substandard curves. As a result of the improvements, the road will be widened from 18 feet to 22 feet with 5-foot shoulders.
2. Gwen Davis asked what the total limit of disturbance would be? Mr. Altevogt responded that in most places the centerline would be held, except where the alignment may be shifted in some areas to best avoid or minimize impacts upon historic resources. He added that the project is still in the planning and conceptual design phase.
3. Nick Blendy passed out aerial mapping of the project area and included a written summary of preliminary archaeological and historic structures findings.

4. Barbara Silber stated that the public involvement brochure produced for the project that was sent out with the Letters of Intent to Enter have been well-received by the community and has been an effective tool in informing people in the area of the project as well as getting property owners to share information they have about the community with both the archaeologists and the architectural historians while doing their field work.
5. Barbara Silber explained that five areas of archaeological sensitivity have been identified within the anticipated project APE for the project. Specifically (from north to south), these areas consist of portions of the project APE that may contain archaeological remains of:
 - School House 58, a 19th century educational facility that was once situated on the west side of Choptank Road north of Back creek
 - A small Native American site situated on a gentle rise north of Back Creek on the west side of Choptank Road.
 - A 19th century historic agricultural/domestic site associated with a "J Clayton" (Beers 1868; Hopkins 1881; Baist 1891) or "M. Moody" (Rea and Price 1849), which was once located on the east side of Choptank Road just south of Old Schoolhouse Road.
 - A 19th century historic agricultural/domestic site associated with a "J.W. Callahan" (Beers 1868; Rea and Price 1849), which was once situated on the east side of Choptank Road south of Armstrong Corner Road and north of the Holton Farm (N-107).
 - A 19th century historic agricultural/domestic site associated with a "T.R.H" (Beers 1868) or "M.D. Wilson" (Hopkins 1881; Baist 1891), which was once located on the west side of Choptank Road south of Bohemia Mill Road.
6. During the field view, Ms. Silber presented a brief summary of the results of fieldwork to date at each of the target locations/sites. These overviews included a review of the types of artifacts recovered from each location, explanations of cultural features (if any) encountered at each location, and a brief discussion of the archaeological potential of each location. Ms. Silber noted that seemingly intact truncated subsurface cultural features have been identified beneath the plow zone at the School House 58 and M.D. Wilson/T.R.H sites and that surface remains of structural components have been identified at the J. Clayton Site.
7. Ms. Silber stressed that although the anticipated project APE is quite narrow (on the average of 25' off of the edge of pavement), subsurface testing has revealed

that the APE does indeed contain archaeological materials in relatively good context. Soil profiles of test pits excavated in the project APE have revealed that overall, the project APE possesses a soil stratigraphy comprised of remnant plow zone soils atop culturally sterile subsoil. Notably, in many portions of the project APE, the stratigraphy has been subjected to little subsurface disturbance aside from past plowing. She also emphasized that given the discovery of surface and subsurface cultural features, it is highly likely that the project APE still contains intact archaeological deposits.

Follow-up: Since the meeting, two additional areas of archaeological sensitivity have been identified. Currently, investigations to examine a third potential sensitivity area are under way.

8. Amy Seavey explained that the historic structures survey and evaluation is underway. Three properties were identified that met the 50 year old or older requirement for evaluation. Three properties previously listed in the National Register of Historic Places were found to have inconsistent boundary descriptions and those will be redelineated. Four properties were previously surveyed with no formal determination of eligibility within the project area. CRS update forms will be completed for these properties, as well as additional background research in order to provide enough information to the SHPO for them to comment on the eligibility for these properties.
9. Mr. Altevogt stated that the preliminary engineering plans show that there is no proposed work in front of N-12743 and that all road widening would take place on the west side of the road, in front of the golf course, in order to avoid this potentially historic resource. Further work and research is necessary to determine whether this property is associated with N-427 (Woodside), situated north of the property along Choptank Road.
10. Discussion arose concerning N-3860 (Locust Grove), which is now situated among new construction in the Back Creek subdivision. Mr. Altevogt questioned whether it should be considered to be within the project's APE? Mike Hahn and others questioned the building's eligibility because of its lack of integrity of design, material, and setting?
11. In front of N-109, a National Register listed property; the question of effect and Section 4(f) was posed. The listed historic property is situated on the east side of Choptank Road and there are utility lines that run along the west side of the road. Mr. Altevogt questioned the notion of weighing impacts such as a 5-15 foot strip take from an historic property versus the impact and cost of moving utilities? Mike Hahn suggested to the group that perhaps a more balanced property impact or almost a complete avoidance historic property approach is necessary, but this

information must be considered and demonstrated for reviewing alternatives and minimizing impacts. The proposed design should incorporate the best and most practical minimization efforts if historic properties are to be impacted.

12. Ms. Seavey explained that the Sharp Farm on the west side of Choptank Road meets the 50 year old or older requirement for evaluation. Ms. Seavey asked if the owner's association with the DuPont family should be taken into account as fulfilling Criterion B for its association with significant persons? Robin Bodo stated that horses and horse racing is a common interest among members of the DuPont family and that the SHPO has a context for c. 1940s farms that should be consulted before the evaluation of this property can be considered complete.

Conclusion:

Based upon comments from the SHPO and DelDOT, it was concluded that MTA would complete their Phase I Archaeology and Historic Structures investigations and suggest recommendations for Phase II, addressing any comments/questions brought up during this field view.

Because it is anticipated that much of the design development will take into consideration the findings of the cultural resource investigations, select portions of the proposed alignment still remain uncertain. Therefore, to minimize the performance of any inefficient, redundant, or unnecessary archaeological fieldwork, it has been deemed prudent to complete the current field investigations based on the current design concept with the understanding that supplemental work may be necessary as the project progresses and the proposed alignment is finalized.

The meeting adjourned at approximately 12:00 p.m.

These minutes were derived from the notes taken by the authors. Anyone with a different understanding should contact Nick Blendy at (302) 738-0203. If no comments are received within 10 days of receipt of these minutes, they will be considered final.

Minutes prepared by:
MCCORMICK, TAYLOR & ASSOCIATES, INC.

Amy L. Seavey
Barbara Chi Hsiao Silber
cc: MTA
Ted Foglietta
Rick Kiegel, P.E.
Francine Arnold

Recommended project directions and issues based on post-December 12 meeting coordination with M. Hahn (via email).

This follow-up discussion has been abstracted from email correspondence with M. Hahn.

1. Upon completion of the Phase I archaeological field work, project members should meet with K. Cunningham and C. Altevogt to review final results prior to putting together the Phase I report. Efforts should be undertaken to convey information on identified sites to engineers so that they can perhaps balance or minimize the level of impact without any further field testing.
2. The pre-report preparation meeting should include discussions of what will be included in the report and recommended actions. The meeting attendees should be prepared to discuss approaches to any Phase II studies and the anticipated findings of such studies.
3. The standing structures Phase I/II Report should include amendments to the existing DOE forms for the known historic properties. A clear, definitive, justified boundary (with verbal, photo, tax map, sketch, etc) should be included. The Delaware Department of Agricultural web site should also be checked for maps and GIS aerials on which tax ID information can be overlain. Recommended for N-5123, N-427, N-109, N-107, N-5148.
4. All properties 50 year or older should receive an updated inventory form. All properties not previously inventoried shall have a resource inventory forms (i.e. main building or additional buildings).
5. Overall with standing structures, information should be conveyed to the project engineers to help them develop a balanced approach toward lessening impacts on any of the historic properties (i.e. with respect to their proposed boundary). Our discussions with C. Altevogt suggest complete avoidance could be difficult. We'll need info to justify this for Section 106 and 4(f). Beyond complete avoidance, is there somewhere of an in-between approach or $\frac{3}{4}$ avoidance such as installing pipes, greater slopes, etc to minimize take?
6. Property specific issues:
 - N-3796: What was this property?
 - N-12743: We will need eventual DOE justification on why it is not eligible.
 - N-3860: At this point, review any county information regarding this property during the subdivision process. What did the county say about this property and

please determine whether there were provisions for its rehab. Valerie Cesna (302-395-5500) from New Castle County may have the scope on this. Also, check with Stephanie Burning from NCC since she may be responsible on retrieving the file on this. Also, find out from the county whether wetland permits were necessary as this whole golf course and housing development should have been subject to Section 106 review. Was there a study done by the county/developer of Back Creek? Pending information and its relevance, I can discuss that the property is not in the APE with Dan/SHPO and FHWA, but background information on this situation is needed.

- N-108 : A determination of eligibility recommendation will eventually be needed. Also needs resource inventory cards.
- The equestrian estate needs resource inventory forms and an eventual eligibility recommendation. Consult with Robin regarding the any contextual information for equestrian estates.
- N-5243: Choptank on the Hill is outside the APE and needs no further work.
- N-3860: We need to state in the Phase I/II report that this property is not in the APE. We will confirm this later.
- N-6195: The property is setback from Choptank and Bethel Church Road. Right now, work should not extend beyond confirming if development is indeed scheduled at the intersection corner. C. Altevoigt and MTA should work on identifying the owners of the farm property and of the cultivated field property at the corner (of which we may need a strip of right-of-way).

Questions to explore:

Do the owners match for the farm and field, or are there county records of subdivisions?

Are the agricultural fields related, or are farmed by two different owners?

How is the main building/farmhouse orientated to the road?

Do other modern buildings exist that shield the main farmhouse from the Choptank Road?

Pending background info and using FHWA guidelines on visual assessments, we may find that this property is outside the APE given the nature of the improvements and considering that the front of the property may be situated towards Bethel Church Road.

- N-6190: We need to include in Phase I/II Report that this property is in the APE but a DOE found that the property was not eligible. Confirm the date on when this resource was determined not eligible by the SHPO and include in the report.